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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1767 OF 2007

Dada Nana Jagtap ... Petitioner

V/s

M/s. Bilas Infusions & Surgical P. Ltd., & ors. ... Respondents

Mr. Pravin Patel for the petitioner.

Mr. M.S.Karnik for the respondents.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 22ND OCTOBER, 2007.

P.C.:

1. This petition challenges the concurrent findings of fact of the Labour Court and the Industrial Court. The Labour Court has, after concluding that the enquiry held against the petitioner was fair and proper, found that the findings of the enquiry officer were not perverse. The petitioner was charged with extracting money from three women who were employed with the respondent No.1 while disbursing their monthly salary. These three women had been examined before the enquiry officer and their testimony has been found sufficient to hold that the petitioner was guilty of the misconduct alleged

against him. It was found that the petitioner had threatened these workmen that he would ensure that each of them were given a break in service if they did not part with the amounts demanded by him. The Labour Court has weighed the evidence which was available before the enquiry officer and found that the findings arrived at by the enquiry officer were not perverse. The Industrial Court, in revision, has concurred with these findings. Both the Courts below have not accepted the petitioner's contention that he was victimised as there was no evidence to that effect.

2. In my opinion, there is no need to interfere with the orders of the Courts below.

3. Petition rejected.

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